

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
WESTERN DIVISION**

ENERGY TRANSFER EQUITY, L.P., and  
ENERGY TRANSFER PARTNERS, L.P.,

Plaintiffs,

v.

GREENPEACE INTERNATIONAL (aka  
“STICHTING GREENPEACE COUNCIL”);  
GREENPEACE, INC.; GREENPEACE FUND, INC.;  
BANKTRACK (aka “STICHTING BANKTRACK”);  
EARTH FIRST!; and JOHN AND JANE DOES 1-20,

Defendants.

Cause No. 1:17-cv-00173-CSM

**DEFENDANTS’ UNOPPOSED  
MOTION FOR LEAVE  
TO FILE EXCESS PAGES**

Defendants Greenpeace International (aka “Stichting Greenpeace Council”) and Greenpeace, Inc. (together, the “Greenpeace Defendants”), Greenpeace Fund, Inc., and Banktrack, through counsel, hereby requests leave of this Court to file over-length reply memorandums in support of their pending Motions to Dismiss pursuant to Local Rule 7.1(c).

The Complaint against Defendants is 187 pages long and contains 442 paragraphs and 8 separate causes of action. ECF No. 1. Additionally, the Complaint incorporates 41 pages of appendices, which set forth 238 different alleged misrepresentations by Defendants in support of Plaintiff’s claim. Given the voluminous nature of the complaint at issue in the case, the analysis in support of Defendant’s Motion to Dismiss requires substantial briefing.

This Court previously granted the Greenpeace Defendants’ request to file an overlength brief in support of their motion to dismiss. ECF No. 27. The Court subsequently granted Plaintiff’s request to file a 90-page consolidated opposition brief. ECF No. 61. Proper analysis of Plaintiff’s claims and response to the arguments set forth in Plaintiffs’ substantial opposition

brief requires briefing that will exceed the 10-page limit for reply briefs allowed by Local Rule 7.1, and the 20-page limit this Court previously set for the Greenpeace Defendants' reply brief. *See* ECF No. 27.

For these reasons, the Greenpeace Defendants request leave to file a memorandum in support of their motion to dismiss that will not exceed 40 pages. Greenpeace Fund, Inc. requests leave to file a memorandum in support of its motion to dismiss that will not exceed 25 pages; and Banktrack requests leave to file a memorandum in support of its motion to dismiss that will not exceed 30 pages.

Counsel for Plaintiffs have been contacted regarding this motion and do not oppose it.

Respectfully submitted this 23rd day of March, 2018,

/s/ Lacy H. Koonce, III

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